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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION**

DONALD E. MCCOY,

Plaintiff,

Case No. 10-cv-03098-PA

v.

BNC MORTGAGE, INC., a Delaware
Corporation, MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., a Delaware
Corporation, NORTHWEST TRUSTEE
SERVICES, INC., a Washington Corporation,
U.S. BANK NATIONAL ASSOCIATION, as
Trustee for the Structured Asset Investment Loan
Trust, 2005-10, AIG FEDERAL SAVINGS
BANK, FINANCE AMERICA, LLC, LEHMAN
BROTHERS HOLDINGS, INC., IMPACT ONE
MORTGAGE SERVICES,

Defendants.

**DEFENDANT NORTHWEST
TRUSTEE SERVICES, INC.'S
MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

Pursuant to Fed. R. Civ. P. 12

**ORAL ARGUMENT REQUESTED BY
TELEPHONE CONFERENCE**

COMPLIANCE WITH LR 7.1

The undersigned attorney certifies that he has attempted to confer with Plaintiff's counsel in good faith via email and telephone message prior to filing this motion, but he did not receive a

response from Plaintiff's counsel.

MOTION

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant Northwest Trustee Services, Inc. (hereinafter "Defendant NWTs"), moves the Court for an order dismissing Plaintiff's Complaint for failure to state a claim.

This motion is supported by the accompanying Memorandum of Law and Request for Judicial Notice concurrently being filed.

Defendant NWTs respectfully requests oral argument on their motion by telephone conference pursuant to L.R. 7-1(d)(3), since Defendant NWTs' counsel's office is located in the Portland area. Defendant NWTs' counsel can be reached at (503) 517-7180.

DATED this 23rd day of September, 2010.

ROUTH CRABTREE OLSEN, P.C.

By /s/ John M. Thomas
John M. Thomas, OSB #024691
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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Defendant NWTs' Motion to Dismiss Plaintiff's Complaint (FRCP 12) upon the following parties via ECF on September 23, 2010:

James J. Stout
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Attorney for Plaintiff

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Attorney for U.S. Bank National Association

DATED this 23rd day of September, 2010.

ROUTH CRABTREE OLSEN, P.C.

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